

Atty Freeman, Jordan M. (for Petitioner Valerie Landresse Priest)

Petition for Probate of Will and for Letters of Administration with Will Annexed;  
Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

<b>DOD: 5/29/2000</b>		<b>VALERIE LANDRESSE PRIEST</b> , granddaughter, is Petitioner and requests appointment as Administrator with Will Annexed and without bond.  All heirs waive bond.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note:</u> Status hearings will be set as follows:  <ul style="list-style-type: none"> <li>Friday, December 21, 2012 at 9:00 a.m. in Department 303 for the filing of the inventory and appraisal.</li> <li>Friday, September 20, 2013 at 9:00 a.m. in Department 303 for the filing of the first account of petition for final distribution.</li> </ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/		
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	Will dated 8/19/19 (admitted to probate on 10/2/2000)  Residence: Fresno Publication: Fresno Business Journal  Estimated value of the Estate: \$33,718.17  Probate Referee: Rick Smith	<b>Reviewed by:</b> KT <b>Reviewed on:</b> 7/16/12 <b>Updates:</b> SUBMITTED <b>Recommendation:</b> File 1 - Landresse
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

<b>Age: 33</b>		<b>MARIA MAIRENA</b> , Mother and Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>DOB: 2-23-79</b>			
		Current Bond is \$56,000.00 ( <i>Sufficient</i> )	<b>Note: Substitution of Attorney filed 7-5-12 indicates that Maria Mairena is no longer represented by Attorney Marcella Downing.</b>  <b>Note: Substitution of Attorney filed 7-17-12 indicates that Maria Mairena is now represented by Attorney Gary L. Motsenbocker.</b>  <u><b>Continued from 5-31-12. As of 7-17-12, nothing further has been filed except for the Substitutions of Attorney.</b></u>  <u><b>SEE PAGE 2</b></u>
		Account period: 9-18-09 through 9-17-11	
<b>Cont. from 053112</b>		Accounting: \$358,645.64	
<b>Aff.Sub.Wit.</b>		Beginning POH: \$275,172.97	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH: \$245,823.15 (\$323.15 cash plus real property and personal property)	
	<b>Inventory</b>	Conservator: Waived	
	<b>PTC</b>	Attorney Downing: Not requested	
	<b>Not.Cred.</b>	Attorney Blau ( <i>Petitioner's former attorney</i> ): \$1,980.00	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	(9 hours @ \$220.00/hr. Itemized services include reparation for the 2 <sup>nd</sup> Account, correspondence regarding bond and real property sale.) – <i>Authorized per Minute Order 5-31-12</i>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>	Petitioner states a Special Needs Trust was established in 2009 with the proceeds of a settlement and is under the supervision of San Francisco Superior Court with a professional fiduciary as trustee. In addition, litigation settlement proceeds from a Fresno Superior Court case that were previously listed as a "receivable" for \$20,000.00 were distributed directly to the special needs trust and are not under the control of the Conservator.	
	<b>Conf. Screen</b>	Conservatee's home was foreclosed on 12-7-11 (with Court approval at the settlement of the last account), and her current home is an asset of the special needs trust. Also at the last account, the Conservator was awarded the Conservatee's 1998 Honda Civic as payment for her services; however, Petitioner states she did not want compensation, and the vehicle was sold and the proceeds were deposited to the conservatorship estate account.	
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>	Petitioner states the conservatorship estate now qualifies as a small estate as defined in Probate Code §2628(a).	
		<b>Petitioner requests that:</b> <ol style="list-style-type: none"> <li>1. Notice of hearing of this account, report and petition have been given as required by state law;</li> <li>2. Petitioner be directed to pay the sum of \$1,980.00 to the Law Office of Laurence Blau – <i>Authorized per Minute Order 5-31-12</i>;</li> <li>3. The Court order that Conservator is no longer required to provide accountings to the Court; and</li> <li>4. All acts and transactions of Conservator be ratified, confirmed and approved.</li> </ol>	
		<b>SEE PAGE 2</b>	
			<b>Reviewed by:</b> skc <b>Reviewed on:</b> 7-17-12 <b>Updates:</b> <b>Recommendation:</b> <b>File 2 - Mairena</b>

1. Petitioner states the conservatorship estate now qualifies as a small estate as defined in Probate Code §2628(a); however, Examiner notes that at the close of this account period (9-17-11), the real property had not yet foreclosed.

The Court may require further accounting reflecting the current status of the conservatorship estate as meeting the requirements of §2628 before dispensing with accountings.

If accountings are not dispensed per Probate Code §2628(a), the Court will set a status hearing for the next account Friday, 1-10-14 (a 2-year account period).

If further accounting is required before dispensing accountings, the Court will set a sooner status hearing for such further account.

2. Examiner notes that although the Conservatee lives with her husband, the conservatorship estate appears to be paying for all of the household expenses (power, utilities, cable, food, gardening, household supplies and repairs, home security, etc. Need clarification: Does the Conservatee's husband contribute to household expenses?

3. During this account period, Examiner notes approx. \$2,500.00 in fast food and other restaurant charges that appear to pay for meals for more than just the Conservatee. For example:

- Subway \$14.50
- In n Out Burgers \$33.40
- Fosters Freeze \$18.89
- Taco Bell: \$14.13
- Charleys Grill: \$34.04
- Wing Stop: \$46.64
- ROP Grill Brazilian: \$121.61
- Cheesecake Factory: \$198.31
- Subway \$119.70
- HTB (Hometown Buffet?): \$37.72

*(These are just a few of the numerous restaurant meal charges listed.)*

The Court may require clarification regarding the meals purchased for Conservatee and others with the Conservatee's funds and may require repayment and surcharge.

4. Petitioner previously requested the Honda Civic that was no longer usable by the Conservatee as compensation and that request was granted at the last hearing; however, this petition states she declined the vehicle, but sold it for \$500.00, which was a \$4,500.00 loss. The Court may require clarification as to how the sale value was reached, since this appears to be a substantial loss to the conservatorship estate.
5. Disbursements Schedule reflects \$200.00 as a birthday gift for the Conservatee's brother is a violation of Cal. Rules of Court 7.1059 (Standards of conduct for the conservator of the estate). The Court may require reimbursement to the estate and surcharge.
6. There are numerous gas and vehicle related expenses; however, Petitioner states the van is an asset of the Conservatee's special needs trust. Need clarification.
7. **There are numerous additional questionable disbursements during this account period. For instance, in September 2009, approx. \$1,800 was spent at Costco, Kmart, Walgreens for "food, clothing, household items and sanitary supplies," and on 10-2-09, over \$1,000 was spent for "furniture and baskets" at Target. However, there are no personal property items listed as assets. The Court may require clarification regarding the various expenditures. Were these funds spent for the benefit of the Conservatee pursuant to standards of conduct for a conservator of the estate? See Cal. Rules of Court 7.1059.**

**Note: There may be additional issues; however, Examiner cannot continue in detail without further information. For example, The history of this case is not readily available from this petition and Examiner is unable to determine the reason for numerous trips to Northern California (Hayward and Milpitas), and whether gas for such trips is appropriate without further information.**

<b>Age: 33</b>		<b>CARLOS GARZA</b> , Father, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. The Court may also require proof of service of Notice of Hearing on: - Daniel Escandon (brother) - Gloria Ramos (aunt) - Any other interested parties as the Court may require.
<b>Cont. from 061912</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
	<b>Order</b>	X	
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
<p><b>PUBLIC GUARDIAN</b> was appointed Conservator of the Person and Estate of Elva Garza on 5-14-08.</p> <p><b>Petitioner states</b> his daughter (33) is developmentally disabled, is a CVRC client, and resides in an assisted living facility. He was actively involved in the proceedings for conservatorship, and at the conclusion of the proceedings on 5-2-08, the Court encouraged visits.</p> <p>Until December 2011, Petitioner was receiving supervised visits with his daughter. On 12-5-11, however, he received his last visit and no family has been able to visit since.</p> <p>Petitioner has called the Public Guardian's office multiple times and has been told that his daughter cannot decide if she wants to visit and therefore they are not setting up visits at this time.</p> <p>Petitioner does admit that his daughter has a history of one day saying one thing and the next day saying something else. She probably has said on occasion that she does not want to visit; however, she suffers from mental disabilities that should be taken into account.</p> <p>There have been no incidents during visitation that would cause the Public Guardian concern or to cease visitation.</p> <p>Ms. Garza's family wants to be able to visit, especially Petitioner, and it has become apparent that this will not occur without additional assistance from the Court.</p> <p><b>Petitioner requests this Court order that:</b></p> <ol style="list-style-type: none"> <li>1. Petitioner receive reasonable visitation with the Conservatee; and</li> <li>2. Any other orders the Court deems necessary.</li> </ol>			

Reviewed by: skc

Reviewed on: 7-16-12

Updates:

Recommendation:

File 3 - Garza

**Petition for Allowance and Payment of Trustee Fees and Attorney Fees for the Period Dec. 22, 2011 Through April 3, 2012 [Prob. C. 16243, 16247, 17200(b)(9)]**

		<b>Paul E. Quinn</b> , Trustee, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>Page 4A</b></u> (re Trustee and Attorney Fees) is a continued matter from 5-24-12.  <u><b>Minute Order 5-24-12:</b></u> Matter continued to 7-19-12. Mr. Milnes is directed to submit his objections by 7-5-12.  <u><b>Note:</b></u> Mr. Milnes has not filed any objections to this Petition; however, did file Objections to the Court's Tentative and Proposed Statement of Decision and Request for Statement of Decision filed 6-26-12 (re trial held in February 2012).  <b>On 5-30-12, Petitioner filed a Declaration Regarding Current Trust Assets, Accrued Expenses and Future Proceeds. Petitioner states the Declaration is meant to update the Court as to certain recent relevant developments since the trial in February.</b>  <u><b>Page 4B</b></u> is previous petition that was reset for hearing on 7-3-12.  <b>Examiner Notes previously noted:</b>  1. Petitioner's itemization for the firm RCQ&H billing of the \$21,055 may require further clarification. A narrative description of the reasons for the time incurred is included, but per Petitioner, the billing software does not have the ability to include detailed description in the itemization.
		Petitioner states a trial was held in Feb. 2012. The issues litigated concerned four distinct, yet interrelated issues that arose as a result of requests made by Petitioner as part of two different petitions filed by Petitioner.	
<b>Cont. from 052412</b>		This petition requests payment of Petitioner's trustee and attorney fees incurred for litigation of those issues during the period 12-22-11 through 4-3-12 (the Third Post-Accounting Period).	
<b>Aff.Sub.Wit.</b>		<b>Trustee: \$21,055.00</b> Petitioner states the fees associated with this Third Post-Accounting Period were billed through the accounting firm of which Paul E. Quinn is a partner, Ryan, Christie, Quinn & Horn (RCQ&H) and includes the services of other RCQ&H employees. Per itemization, RCQ&H personnel have devoted approx. 86.3 hours resulting in \$21,055.00 in fees.	
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>		<b>Attorney: \$78,972.50</b> Petitioner states the law firm Fishman, Larsen, Goldring & Zeidler (FLGZ) performed services during the Third Post-Accounting Period including preparation and attendance at hearings, receipt and review of Objection to Increased Reserve & Fees and the Response to Petition for Apportionment; the preparation of the Post-Trial Brief and related Reply Brief; the attempted resolution of competing bankruptcy claims between the Trust and Rick (beneficiary); the preparation of this Petition and related declarations; and advice to Petitioner and numerous meetings.  303.5 hours, itemized, plus costs of \$5,716.50 = \$84,540.00, less \$5,568.00 professional discount = \$78,972.50. <b>SEE PAGE 2</b>	
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 7-17-12 <b>Updates:</b> <b>Recommendation:</b> <b>File 4A - Jeffery</b>	

**Page 2**

**Petitioner states** the trust provides that the trustee shall be paid reasonable compensation for the trustee's services, and the trustee is authorized to hire and pay agents to assist in trust administration (Probate Code §§ 16243, 16247).

Petitioner states the Court need not wait until resolution of Rick's objections to the accounting, as nothing in Probate Code or California Law requires that the trustee or his agents must await a final adjudication of a beneficiary's claims against the trustee to receive compensation. (See *Kasperbauer v. Fairfield, supra*, 171 Cal.App.4<sup>th</sup> at p. 236 (concerning attorneys' fees as the trustee's fees were not then requested.) In this case, the time incurred and resultant fees by the trustee and RCQ&H personnel were necessary and beneficial to the trust as they were an inevitable consequence of having to defend the Petition for Apportionment and the Petition for Increased Reserve & Fees in litigation.

In addition, Petitioner took steps during this period in an effort to reduce litigation and administration costs and expenses of the Joint Trust, including using staff who bill at lower hourly rates than Petitioner perform certain administrative and accounting tasks under Petitioner's supervision, and attempted to resolve the competing bankruptcy claims issues with Rick so as to avoid any future litigation costs.

Finally, nearly all factors enumerated in Cal. Rules of Court 7.776 weigh in Petitioner's favor or are neutral when it comes to the requested trustee fees. In particular, it is clear that Petitioner's administration of the trust has not been unsuccessful (Rule 7.776(2).) In addition, Petitioner is an expert and brought unique skills, expertise and experience to his work as trustee (Rule 7.776(3).); has not been disloyal to any beneficiary and has treated all beneficiaries fairly (Rule 7.776(4).); assumed a great amount of responsibility as trustee (Rule 7.776(5).); and incurred a large amount of time on behalf of the Joint Trust (Rule 7.776(6).) In addition, given Petitioner's expertise and experience, his hourly rate of \$250.00 is reasonable in Fresno County (Rule 7.776(7).) Finally, the work performed was anything but routine and required Petitioner's skill and judgment (7.776(8).)

**Regarding attorney fees:** Petitioner cites *Halloway v. Edwards* (1998) 68 Cal.App.4<sup>th</sup> 94, 97 regarding authorizing the trustee to hire and pay from the trust (or seek reimbursement for having paid) attorneys to assist in trust administration. The general rule also applies when a trustee is defending his accounting against objections. Preparing the accounting and responding to the beneficiaries' objections to the accounting are aspects of trust administration (*Kasperbauer v. Fairfield, supra*, 171 Cal.App.4<sup>th</sup> at p. 325).

The attorney fees and costs requested are reasonable and were beneficial as they were an inevitable consequence of having to defend the petitions. In addition, the attorneys took steps to ensure that the fees were minimal, including review of timesheets to ensure a reasonable amount of time was billed, drafting done by associates with lower hourly rates than Mr. Fishman, ensured that only one attorney attending certain hearings, and only charged for a single attorney's time at the trial, despite the fact that three attorneys were present.

Petitioner states he is fully aware of this Court's special responsibility to ensure that fee awards are reasonable, given their supervisory responsibilities over trusts, and alleges that it is clear that the \$67,409.00 (???) of attorneys' fees and costs for this period.

**Petitioner prays:**

1. That this Court approve and direct the payment of \$21,055 to Petitioner's accounting firm, Ryan, Christie, Quinn & Horn, for Petitioner's services rendered as trustee from 12-22-11 to 4-3-12;
2. That the Court approve and direct the payment of \$78,972.50 to the law firm of Fishman, Larsen, Goldring & Zeitler, for its services rendered to the Trust from 12-22-11 to 4-3-12, which includes costs of \$5,716.50;
3. For such other and further relief as the Court may deem appropriate.

**4B Richard E. & Pauline D. Jeffery Revocable Trust Case No. 10CEPR00865**  
**Atty Jaech, Jeffrey (for Petitioners/beneficiaries Joan Berry Rodreick and Carleen Jeffery)**  
**Atty Fishman, Robert G. (for Trustee Paul E. Quinn)**  
**Atty Milnes, Michael (for Richard E. Jeffery Jr.)**

**Petition for Determination that Contest of Richard E. Jeffery, Jr. to Trustee's Account is Without Reasonable Cause and in Bad Faith and for Award of Costs, Expenses and Fees Against Contestant [Prob. C. 17200, 17211]**

			<b>JOAN BERRY RODREICK and CARLEEN JEFFERY</b> , beneficiaries, are petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Notice of Hearing filed 7-3-12 indicates 17 days' notice.  <u>Probate Code §17203 requires 30 days.</u>  2. The Court may require a current status update regarding the status of this petition with reference to the other ongoing matters before the Court.
RESET from 110311, 111611, 113011 (Settlement Conf.), 120711 (Evidentiary Hrg), 013012 (Status Hrg), and 021412, 021512, 022212 (Trial)			<b>Note: This petition was originally filed 9-15-11 and was RESET to this date pursuant to Notice of Hearing filed 7-3-12.</b>	
	<b>Aff.Sub.Wit.</b>		<b>Petitioners</b> are petitioning the Court for an Order that the third beneficiary, Richard E. Jeffery, Jr. ("Rick") has acted without reasonable cause and in bad faith in filing and prosecuting objections to Trustee Paul E. Quinn's ("Paul") Petition for Settlement of Account and Report and for Approval of Distribution of Trust Assets and for Approval of Trustee and Attorney Fees and that pursuant to Probate Code §17211(a) Rick be ordered to pay the costs and other expenses incurred (including attorney fees) by Paul and the Petitioners in defending the Account.  <b>Petitioners assert</b> that Rick's Objections are without reasonable cause and made in bad faith, with the effect of causing unnecessary expenses to be incurred by the Trust.  <b>Petitioners assert</b> that Rick's actions are motivated by his displeasure at his parents' choices regarding the distribution and control of their assets. Namely, Rick is upset that his father chose not to involve Rick in the management of his now defunct business and his mother disinherited him from her separate property trust, valued over 1.7 million. Petitioners believe that Rick is also angry that his parents chose to pay all their estate taxes from their joint trust, so their daughters were not burdened with taxes on what they inherited separately from their mother. Rick's actions have caused and continue to cause unnecessary depletion of Trust assets and are delaying distribution of the Trust estate.	
	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>	w/o		
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
			<b>Please see additional pages</b>	
			<b>Reviewed by:</b> KT / skc <b>Reviewed on:</b> 7-17-12 <b>Updates:</b> <b>Recommendation:</b> <b>File 4B - Jeffery</b>	

**4B**

**PAGE 2**

**Petitioners assert** that Rick acted both without reasonable cause and in bad faith. As to the issue of reasonable cause, most, if not all, of the accusations in Rick's Objection are frivolous, without any objective basis in law or fact. Some of Rick's Objections are redundant and have previously been addressed by Paul, while others are general unsupported allegations. **The bulk of the Objections can be categorized as follows:**

- **Related to JSI.** Rick makes allegations regarding Paul's lack of accounting of JSI, however, ignores the established fact that JSI is a corporation and furthermore is not a Trust asset.
- **\$200,000 Loan to Joan.** Rick argues, despite previous investigation of this claim by Paul, that Joan owes an additional \$200,000 to the Trust. Rick provides no documentary proof of this allegation and does not address the documentation by Paul provided to him previously, which shows no evidence of such indebtedness.
- **Incomplete Report.** Rick alleges that Paul filed an incomplete report citing that Paul failed to either provide certain documentation, obtain approvals from beneficiaries for certain actions, or purportedly failed to follow administrative procedures. Rick does not cite legal authority to support his allegations that Paul did not perform functions as he was supposed to.
- **Conflicts of Interest.** Without citing authority, Rick challenges the Account based on Paul's roles as executor of Richard's and Pauline's estates, as trustee of Pauline's Separate Property Trust, and as trustee of the Trust, stating that it creates a conflict of interest. In fact, Paul was never the trustee of Pauline's Separate Property Trust.
- **Account Updates.** Rick alleges that Paul failed to provide him with periodic reports and updates of the trust administration and stonewalled him when Rick requested information. This allegation, as most of Rick's Objection, is not based in reality. Paul's Response indicates specific instances when Paul provided information or attempted to provide information and Rick has simply ignored him.

**In light of the foregoing, Petitioners respectfully request that:**

1. This Court find that Rick has acted without reasonable cause and in bad faith in objecting to the Account;
2. This Court order that the Trust be awarded against Rick all compensation, expense, costs, and attorney's fees incurred by the Trust in defending Paul from the Objection, to the extent unreasonable in amounts according to proof;
3. This Court order Petitioners be awarded Petitioners' costs and attorney fees in bringing this Petition, and otherwise opposing Rick's Objection, according to proof to be provided by Petitioners;
4. This Court order that such awards be against Rick to be charged first against Rick's interest in the Trust estate, and to the extent that such interest is insufficient, Rick be held personally liable for the deficiency, and be ordered to pay such deficiency immediately.



Atty Rindlisbacher, Curtis D.

Atty Bagdasarian, Gary G.

(1) First and Final Account and Report of Conservator, (2) Petition for Reimbursement of Costs Advanced by Conservator; (3) for Attorney's Fees and Costs Advanced by the Attorney; (4) for Discharge of Conservator and (5) for Authority to Liquidate the Estate by Summary Disposition [Prob. C. 1060-1064; 1860; 1861-1863; 2620; 2623; 2631; 2640]

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Continued to 8/21/12 at the request of the attorney.
		Reviewed by: KT
		Reviewed on: 7/13/12
		Updates:
		Recommendation:
		File 5 - Lewis

<b>DOD: 6-13-11</b>		<b>JAMES DOUGLAS DAVIS</b> , Co-Trustee and Beneficiary, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>CARLA D. RAY</b> , Co-Trustee and Beneficiary (sister of Petitioner), is Respondent.	<u>Continued from 6-7-12</u>
<b>Cont. from 060712</b>		Petitioner states he and his sister are all of the beneficiaries of the trust and are the first successor Co-Trustees.	<b>Minute Order 6-7-12:</b> Counsel requests a continuance. Matter continued to 7-19-12.
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>	Petitioner seeks orders and instructions pursuant to Probate Code §17200 as follows:	<b>As of 7-16-12, nothing further has been filed.</b>
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>	17200(b)(7)(C) – Compelling Carla D. Ray to account and report to Petitioner as beneficiary. Petitioner, through prior counsel, made a written request on 1-10-12 to provide an account, but she has failed and refused to provide any such account or report. It has now been more than 40 days since that request.	
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	17200(b)(10) – For the removal of Carla D. Ray as Co-Trustee of the trust and appointing Petitioner as the sole trustee on the grounds that she has committed breach of trust (§1652(b)(1)) and failed to cooperate with Petitioner which has impaired the administration of the trust (§15642(b)(3)). She has failed to account to beneficiaries after demand, failed to distribute assets according to the terms of the trust, and failed to cooperate with Petitioner in administration of the trust.	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W		
<input type="checkbox"/>	<b>Aff.Pub.</b>	17200(b)(5) – for a determination of the debts owed by Carla D. Ray to the trust. Prior and subsequent to their mother's death, she charged expenses, including but not limited to four Dell computers and a 42" LCD HDTV to their mother's estate. The latest charges on 8-23-12 for \$93.24, over two months after their mother passed. Despite several demands to explain and pay, she has failed and refused.	
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	17200(b)(12) – Compelling Carla D. Ray to pay the Dell Computer invoice in the amount of \$2,693.37 and reimburse the trust for any other charges or expenses owed to the trust.	
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>	17200(b)(6) – Instructing that the purpose of the trust has been concluded and it shall be brought to a close, and that the trustee is to conclude the administration of the estate and distribute proceeds of the trust to beneficiaries pursuant to the terms of the trust, including but not limited to the share of the State Farm check, and that Carla D. Ray cooperate with Petitioner as Co-Trustee in administration if she is not removed.	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input checked="" type="checkbox"/>	<b>Objections</b>	<b>SEE PAGE 2</b>	
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b> X		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> skc <b>Reviewed on:</b> 7-16-12 <b>Updates:</b> <b>Recommendation:</b> <b>File 6 - Davis</b>

## Page 2

**Petitioner prays for an Order:**

1. Compelling Carla D. Ray to account fully for all trust property and report all actions taken;
2. Removing Carla D. Ray as trustee;
3. Appointing James Douglas Davis as sole trustee;
4. Instructing the trustee that Carla D. Ray owes the trust the amount of \$2,693.37 for the Dell computer account and that said amount shall be charged against and paid by her share of the trust proceeds;
5. Instructing the trustee to distribute all known assets of the trust to the named beneficiaries according to the terms of the trust and bring the trust to conclusion;
6. For costs herein; and
7. For such other orders as the court may deem proper.

**Response filed 5-29-12 by Carla Ray states:**

Respondent did not receive a written request from Petitioner or an attorney or anyone else requesting an accounting of any sort. It is noteworthy that Petitioner did not attach such request as an exhibit along with his other exhibits do to the simple fact that one does not exist. Section 16062(a) provides that a trustee generally has a duty to account at least annually to a beneficiary. Decedent died on 6-13-11, less than one year ago. Based on the above, Petitioner is premature in his petition to remove Respondent as co-trustee for failure to account. Respondent would have provided an accounting in the ordinary course – with the help of Petitioner as co-trustee – after 6-13-12, but has instead provided the attached accounting – without his help – for the period 6-13-11 through 5-25-12.

Second, before a distribution can be accomplished, the final bills of the decedent must be satisfied. Attached are invoices for unpaid bills. In addition, the trustee has incurred the expense of \$250.00 to Ed Huff, CPA, for tax preparation and \$2,740 to David M. Camenson, Professional Corporation, for legal services after the decedent's death. Also, a court filing fee of \$395.00 for this response was incurred after the date of the accounting. Petitioner has demanded that he is owed half of the \$38,883.82 death benefit from State Farm before satisfying these debts of the estate. This request should be denied.

Third, before final distribution can occur, an account of interim distributions must be prepared so that the final distribution can be equal as required by the trust. Based on the values of the accounting, Petitioner has already received 2/3 of the value of the trust estate (\$96,000) while Respondent has received only \$45,020.

Fourth, contrary to the allegation by Petitioner, Respondent has provided as much information at her disposal to address any inquiries from Petitioner at all times. At times, the information was not available. This can hardly be considered to be failing to cooperate.

Fifth, Petitioner is well aware of the fact that Respondent was not responsible for any charges made to a Dell credit card. The decedent opened a credit card without Respondent's knowledge for use by Misty Blackmon, the decedent's granddaughter, and the balance was paid in full on 5-14-12 by Misty Blackmon from her own money, not from any trust estate monies.

**Respondent prays for an Order:**

1. Denying and dismissing the petition, Petitioner's request for an accounting and the removal of Respondent as Co-Trustee;
2. Instructing Petitioner as Co-Trustee to cooperate with Respondent to obtain updated appraisals on the jewelry in the possession of Petitioner so as to correctly value the assets already distributed to him;
3. Instructing the Trustees to pay all bills of the trust estate as set forth in Exhibit B to the extent required by the respective creditors;
4. Distribute the balance of the trust estate such that both Petitioner and Respondent receive a distribution of equal value;
5. For costs herein; and
6. For such other orders as the court may deem proper.

**SEE PAGE 3**

**Petitioner filed Reply to Response on 6-6-12 stating:**

- A demand letter was received by Respondent on 1-17-12. A copy of the letter and certified mail receipt signed by Ms. Ray are attached.
- Petitioner objects to Respondent's accounting as it incorrectly charges Petitioner with \$51,000 in personal property that he never received or was property owned by Petitioner. For example, Petitioner never received the jewelry alleged in the accounting and believes it is in Respondent's possession or was given to third parties.

[Examiner notes that the informal accounting contained in the Response is not before the Court at this time and was not reviewed by Examiner.]

- As to the administration itself, Petitioner and Respondent are co-trustees, but Respondent has denied Petitioner involvement and keeps information from him. Petitioner demands all records, bank statements, bills, etc.
- Petitioner requests Respondent be instructed to provide a proper account to the trust with all records and information and allow Petitioner to participate as co-trustee. If the above issues can be resolved

**Petition to Determine Succession to Real and Personal Property (Prob. C. 13151)**

<b>DOD: 5/16/2011</b>	<b>HOWARD GATLIN</b> , Trustee of the Gatlin Family Trust dated 6/3/1998, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Declaration of Petitioner states the first sentence of paragraph 4 of decedent's will devises the entire residue of her estate to the trustee of the Gatlin Family Trust, dated February 12, 1998. Petitioner states they did not execute a trust on 2/12/1998, nor did they execute any wills on that day or any other documents. The Will is in error. The only trust petitioner and his wife [decedent] ever executed is the trust know as the Gatlin Family Trust dated 6/3/1998. The title page of the Trust states "This Declaration of Trust made February12, 1998." However as noted above, the trust was signed on 6/3/1998. In order to avoid any problems with the title company, petitioner requests the property be distributed to Howard Gatlin, Trustee of the Gatlin Family Trust, dated February 12, 1998 (executed on June 3, 1998).
<b>Cont. from 060712</b>	40 days since DOD	
<b>Aff.Sub.Wit.</b>	No other proceedings	
✓ <b>Verified</b>		
<b>Inventory</b>	I & A - <b>148,165.60</b>	
<b>PTC</b>		
<b>Not.Cred.</b>	Will dated: 6/3/1998 – devises the entire estate to the Gatlin Family Trust dated 2/12/1998.	
✓ <b>Notice of Hrg</b>		
✓ <b>Aff.Mail</b>	W/	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>	Petitioner requests Court determination that decedent's 8.33% interest in a tractor, 7 parcels of real property located in Mariposa County and 1/12 interest in real property in Mariposa County pass to Howard Gatlin as Trustee of the Gatlin Family Trust, dated 6/3/1998 pursuant to decedent's will.	
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
✓ <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 7/16/12</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 7 - Gatlin</b>

<b>DOD: 02/29/2012</b>		<b>LANCE MALACH</b> and <b>LORAN MALACH</b> , sons are petitioners and request appointment as Co-Administrators without bond.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		All heirs waive bond	
<b>Cont. from</b>			
	<b>Aff.Sub.Wit.</b>	Full IAEA – o.k.	
✓	<b>Verified</b>		
	<b>Inventory</b>	Decedent died intestate	
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>	Residence: Fresno Publication: The Business Journal	
✓	<b>Aff.Mail</b>	W	
✓	<b>Aff.Pub.</b>	<b>Estimated value of the Estate:</b> Personal property - \$200,000.00	
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>	Probate Referee: Steven Diebert	
	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

**Note: If the petition is granted status hearings will be set as follows:**

- **Friday, 01/04/2013 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal and
- **Friday, 09/27/2013 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.

<b>Reviewed by:</b> KT / LV
<b>Reviewed on:</b> 07/13/2012
<b>Updates:</b>
<b>Recommendation:</b> Submitted
<b>File 8 - Malach</b>

**Report of Status of Administration and Petition for Extension of Time to File  
Petition for Final Distribution (Prob. C. 12200, 12201)**

<b>DOD: 07/24/09</b>		<b>MIA CROMARTY</b> , daughter, Administrator without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Petitioner is currently in the process of locating assets and having those assets valued. Partial Inventory & Appraisals have been filed, with the last, Partial No. 3 filed on 07/26/11.	<u><b>CONTINUED FROM 01/12/12</b></u>
<b>Cont. from 011212</b>		<b>Report of Status filed 01/04/12</b> states: a significant portion of the estate will be received from the Estate of Evelyn Cromarty (decedent's mother) who predeceased him. Petitioner states that a petition for final distribution in Evelyn Cromarty's estate was signed on 12/22/11 (in SLO county). Petitioner states that she anticipates that the assets from decedent's mother's estate will be transferred to the decedent's estate and appraised within the next three months.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>	Petitioner further states that she has recently been named as a defendant in a partition action related to the estate's 10.1% interest in real property. Petitioner anticipates that this partition action will take at least 6 to 9 months to resolve.	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>	Petitioner is requesting a 12 month extension to receive and value all assets to be received from the decedent's mother's estate and also to settle its portion of the partition action.	
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	n/a	<b>Reviewed by:</b> JF
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		<b>Reviewed on:</b> 07/16/12
<input type="checkbox"/>	<b>Sp.Ntc.</b>		<b>Updates:</b> 07/17/12
<input type="checkbox"/>	<b>Pers.Serv.</b>		<b>Recommendation:</b>
<input type="checkbox"/>	<b>Conf. Screen</b>		<b>File 9 - Cromarty</b>
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>	<b>Report of Status filed 07/13/12</b> states: the Administrator recently came to believe that the assets of the estate were appraised too high and obtained re-appraisals from the probate referee. The attorneys have prepared a petition for final distribution and forwarded it to the Administrator to review and sign along with the new Inventory & Appraisals. The documents will be filed with the court upon receipt of them back from the Administrator who is currently living in Arizona. Accordingly, the attorney for the Administrator request a 30 day continuance to submit the final petition.	

**Status Hearing Re: Amended/Issuance of Letters**

<b>DOD: 7/29/2010</b>		<p><b>FRANK SCOTT HINE</b>, brother, was appointed Administrator with bond set at \$118,260.00 on 1/5/2011.</p> <p>Bond has <b><u>NOT</u></b> been filed and Letters have <b><u>NOT</u></b> issued.</p> <p>Creditor's claims totaling \$39,051.68 have been filed in this case.</p> <p>Inventory and appraisal filed on 6/6/2012 showing the estate valued at \$134,550.00.</p> <p>The sole beneficiary of this estate appears to be the decedent's 15 year old daughter.</p> <p><b>Minute Order dated 6/15/12</b> states Counsel informs the Court that he has the inventory and appraisal on file now. The Court sets the bond at \$45,000.00 and directs that the letters be amended to reflect limited authority and require confirmation of sale.</p> <p><b>Declaration of Randolph Krbechek regarding hearing on bond filed on 7/16/12</b> states they submitted a bond application to the insurance company H.M. Vreeland &amp; Sons. The Vreeland agency has informed they that the bond will be issued. However, the Vreeland agency requires that the client and Mr. Krbechek establish a joint control account to handle any funds that come into the possession of Mr. Hine as Administrator. Mr. Krbechek is currently obtaining Mr. Hine's notarized signature on the Joint Control Agreement, so that they can submit it to the Vreeland agency. Mr. Krbechek anticipates that they will be completed by July 19, 2012.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need \$45,000 Bond and Letters to Issue.</p> <p><u>Note:</u> Mr. Krbechek substituted in on 4/4/12.</p>
<b>Cont. from 053012, 061512</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
✓ <b>Sp.Ntc.</b>	W/		
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202 Order</b>			
<b>Aff. Posting</b>			
✓ <b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

<b>Reviewed by: KT</b>
<b>Reviewed on: 7/16/12</b>
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 10 - Hine</b>



Atty Hopper, Cindy J (for Guardians Anthony Simas and Maria Simas)

Atty Jones, Angel M (pro per mother)

## Status Hearing and Hearing to Consider Amending Visitation Order

<b>Age: 2 years</b>		<b>ANTHONY SIMAS and MARIA SIMAS</b> , paternal grandparents, were appointed guardians on 1/15/12.  Father: <b>MICHAEL CATUIZA</b>  Mother: <b>ANGEL JONES</b>  Order after Hearing dated 1/6/12 granted the parents supervised visits at Comprehensive Youth Services every Saturday for 2 hours. The cost for the supervised visits, if any, shall be apied equally by the parents, Angel Jones and Michael Catuiza.  The Court also ordered that the parents, Angel Jones and Michael Catuiza complete the parenting program at Comprehensive Youth Services.  The Court set the matter for review to review the status of the case including the supervise visitation order and to see if the parents have completed the parenting program and if appropriate amend the visitation to allow supervised visitation with a 3 <sup>rd</sup> party supervisor (non-agency).  On 6/29/2012 mother, Angel Jones, filed a copy of her certificate of completion of the Successful Single Parenting: Consider the Children Program provided by Comprehensive Youth Services.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

<b>Reviewed by: KT</b>
<b>Reviewed on: 7/16/12</b>
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 11 - Catuiza</b>

<b>Age: 2 years</b>		<p><b>TERESA LYNN HANNON</b>, mother, was appointed guardian of the estate on 5/17/12.</p> <p>Father: <b>CARLOS HANNON, Sr.</b></p> <p>The guardianship was established because the minor is a beneficiary of two pay on death accounts and possibly life insurance policies as a result of the death of the child's grandmother.</p> <p>Order appointing guardian ordered all funds placed into a blocked account.</p> <p>Order to Deposit funds into Blocked Account was signed on 7/10/12 ordering any and all monthly payments from SunAmerica Life Insurance Company, made until January 7, 2030, representing a gross total amount of \$118,697.24 to be placed into a blocked account.</p> <p>Order to Deposit funds into Blocked Account was signed on 7/12/12 ordering \$110,000 into a blocked account at Wells Fargo Advisors.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need receipt for blocked account for \$110,000</li> <li>2. Need receipt for blocked account for proceeds from SunAmerica Life Insurance.</li> </ol>
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202 Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 7/16/12</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 12 - Hannon</b></p>	

<b>Age: 5 years</b>		<b>TERESA LYNN HANNON</b> , mother, was appointed guardian of the estate on 5/17/12.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>		Father: <b>CARLOS HANNON, Sr.</b>	1. Need receipt for blocked account for proceeds from SunAmerica Life Insurance.
<b>Aff.Sub.Wit.</b>		The guardianship was established because the minor is a beneficiary of life insurance proceeds as a result of the death of the child's grandmother.	
<b>Verified</b>		Order appointing guardian ordered all funds placed into a blocked account.	
<b>Inventory</b>		Order to Deposit funds into Blocked Account was signed on 7/10/12 ordering any and all monthly payments from SunAmerica Life Insurance Company, made until January 7, 2030, representing a gross total amount of \$118,697.24 to be placed into a blocked account.	
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 7/16/12</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 13 - Hannon</b>

Atty Bissegger, Reed A (Pro Per – Guardian)  
 Atty Bissegger, Gracie A (Pro Per – Guardian)  
 Atty Bissegger, Christina (Pro Per – Petitioner – Mother)  
 Atty Rodriguez, Rosendo (Pro Per – Petitioner – Stepfather)

**Petition for Termination of Guardianship (Prob. C. 460, 1601, 2626, 2627, 2636)**

Age: 6 DOB: 06/09/2006	<b>CHRISTINA RODRIGUEZ (BISSEGER)</b> , mother, and <b>ROSENDO RODRIGUEZ</b> , mother's husband, are petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>REED A. BISSEGER</b> and <b>GRACIE A. BISSEGER</b> , maternal grandparents were appointed guardians on 11/05/2007.	1. Petition is not verified.
Cont. from	Father: <b>JOSH</b> (Last name not stated)	2. Petition is not signed by the both of the petitioners.
Aff.Sub.Wit.		
Verified	Paternal grandparents: Not Listed	3. Need proof of service fifteen (15) days prior to the hearing of the Petition for Termination of Guardianship or declaration of due diligence for: <ul style="list-style-type: none"> <li>Josh (No Last Name Listed)</li> <li>Paternal grandparents (Not Listed)</li> </ul>
Inventory		
PTC	Maternal grandfather: <b>REED A. BISSEGER</b> , personally served 05/30 Maternal grandmother: <b>GRACIE A. BISSEGER</b> , personally served 05/31	4. Proof of service for the maternal grandparents/guardians, Reed & Gracie Bissegger, does not provide the year they were served. It provides only the month and day.
Not.Cred.		
✓ Notice of Hrg	Petitioner states: on visits the child complains of being physically and verbally abused. The guardian has not been able to keep up with her duties as guardian and petitioners feel that the child should be returned to his family.	
Aff.Mail		
Aff.Pub.	Court Investigator Charlotte Bien's Report filed 06/28/2012.	Reviewed by: KT / LV
Sp.Ntc.		
✓ Pers.Serv.		Reviewed on: 07/13/2012
Conf. Screen		
Letters		Updates:
Duties/Supp		
Objections		Recommendation:
Video Receipt		
✓ CI Report		File 14 - Lopez
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

**Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)**

<b>Age: 18 years</b>		<p><b>THERE IS NO TEMPORARY.</b>  <b>No temporary was requested.</b></p> <p><b>PETER ALBERT, Sr.,</b> father, is Petitioner and requests appointment as conservator of the person with medical consent powers.</p> <p><b>Declaration of Marina Alper, M.D. 3/29/12.</b></p> <p><b>Petitioner states</b> the proposed conservatee has been diagnosed with development delays, cerebral palsy, and quadriplegia. He is also legally blind. The proposed conservatee needs assistance with most areas of daily living.</p> <p><b>Court Investigator Samantha Henson's Report filed on 7/13/12.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Court Investigator Advised Rights on 7/10/12.</b></p> <p><b>Voting Rights affected need minute order.</b></p>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b> W/		
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input checked="" type="checkbox"/>	<b>Video Receipt</b>		
<input checked="" type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input checked="" type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 7/17/12</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 15 – Albert</b></p>	

**Spousal or Domestic Partner Property Petition (Prob. C. 13650)**

<b>DOD: 12/01/11</b>		<b>ANN FAHERTY</b> , surviving spouse, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		No other proceedings.	<b>CONTINUED FROM 06/14/12</b> <b>As of 07/17/12, no additional items have been filed and the following remains outstanding:</b>
<b>Cont. from 061412</b>		Will dated 07/31/09 devises entire estate to wife, Ann Faherty, is she survives decedent.	
	<b>Aff.Sub.Wit.</b>		<ol style="list-style-type: none"> <li>1. The Petition is incomplete at item 5(a)(2) regarding issue of a pre-deceased child.</li> <li>2. The Petition is missing attachment 7 which is to contain all of the facts upon which petitioner bases the allegation that the property described in attachment 7a is property that should pass or be confirmed to the Petitioner as decedent's surviving spouse.</li> </ol>
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	w/	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 07/17/12
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 16 - Faherty</b>

**Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)**

<b>Age: 9</b>		<b>GENERAL HEARING 09/06/2012</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>JONI ALFORD</b> , non-relative, is petitioner		1. Need Notice of Hearing	
		Father: <b>ERVIN GREEN</b>		2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
<b>Cont. from</b>		Mother: <b>KAREEMAH WILLIAMS</b>		<ul style="list-style-type: none"> <li>Ervin Green (Father)- Unless the Court dispenses with notice</li> <li>Kareemah Williams (Mother) )- Unless the Court dispenses with notice</li> </ul>	
	<b>Aff.Sub.Wit.</b>		Paternal grandparents: Not Listed		
✓	<b>Verified</b>		Maternal grandparents: Not Listed		
	<b>Inventory</b>		<b>Petitioner alleges:</b> the father is suffering from mental issues and petitioner was asked by CPS to supervise the father and child. Father has stolen petitioner's personal belongings and threatened the safety of the petitioner, petitioner's family and the minor. The minor's mother gave the child to the father at six months of age and petitioner has been assisting the father since then.  <b>Petitioner requests</b> to be excused from noticing the father and the mother she states that it would be harmful to the child.		
	<b>PTC</b>				
	<b>Not.Cred.</b>				
	<b>Notice of Hrg</b>	x			
	<b>Aff.Mail</b>				
	<b>Aff.Pub.</b>				
	<b>Sp.Ntc.</b>				
	<b>Pers.Serv.</b>	x			
✓	<b>Conf. Screen</b>				
✓	<b>Letters</b>				
✓	<b>Duties/Supp</b>				
	<b>Objections</b>				
	<b>Video Receipt</b>				
	<b>CI Report</b>				
	<b>9202</b>				
✓	<b>Order</b>				
	<b>Aff. Posting</b>				
	<b>Status Rpt</b>				
✓	<b>UCCJEA</b>				
	<b>Citation</b>				
	<b>FTB Notice</b>				
				<b>Reviewed by:</b> KT / LV	
				<b>Reviewed on:</b> 07/16/2012	
				<b>Updates:</b>	
				<b>Recommendation:</b>	
				<b>File 17 - Williams</b>	

## Petition for Appointment of Temporary Guardianship of the Person

<b>Age: 9</b>		<b>GENERAL HEARING 09/04/2012</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>SARAH HARRISON</b> , sister, is the petitioner	
<b>Cont. from</b>		Father: <b>GARY SMALZ</b> , Deceased	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>	Mother: <b>LAURA SMALZ</b> , Deceased	
	<b>Inventory</b>		
	<b>PTC</b>	Paternal grandfather: Not Listed Paternal grandmother: Marylin Root	
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>	Maternal grandfather: Darvin Pittman, Deceased Maternal grandmother: Jacque Prisco	n/a
	<b>Aff.Mail</b>		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>	<b>Petitioner alleges:</b> parents are deceased. Petitioner was named in the living trust to serve as the custodian. Petitioner requests guardianship for the purpose of obtaining health insurance and to enroll the child in school.	
✓	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
✓	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		